IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRL.REVISION NO.931 OF 2006 (O&M)

DATE OF DECISION: SEPTEMBER 15, 2006

Rajesh Bharti

....PETITITIONER

VERSUS

Bimla Devi ....RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sanjeev Kumar Panwar, Advocate,
for the petitioner.

..

The petitioner, who is the husband, has filed this petition, which is barred by limitation, for setting aside the order dated 23.8.2005 passed by the Additional Sessions Judge, Ambala, whereby the revision filed by the respondent-wife against the order dated 17.5.2003 passed by the JMIC, Ambala Cantt. awarding Rs.500/- per month as interim maintenance on the petition filed by her under Section 125 Cr.P.C., has been allowed and the aforesaid amount has been enhanced to Rs.1200/- per month.

I have heard the counsel for the petitioner on merits. Undisputely, the petitioner is working as Technician in the Railway Department and his monthly salary is more than Rs.5000/-. Keeping in view this fact, the amount of Rs.1200/- per month awarded to the respondent-wife is not excessive at all.

Counsel for the petitioner states that the petitioner is now ready to bring the respondent-wife to her matrimonial home. This plea of the petitioner cannot be accepted at this stage as the allegations in this case are that after the marriage, the wife was tortured and thrown out of her matrimonial home. The petitioner is also a drug addict and having a love

affair with another lady. In these facts, I do not find any ground to interfere in the impugned order dated 23.8.2005 passed by the Additional Sessions Judge, Ambala.

Hence, the criminal revision is dismissed.

September 15, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE